U.S. Serial No.: <u>09/305,738</u> Docket No.: <u>2324-7028US1</u>

## <u>REMARKS</u>

#### **Status Of Claims**

Upon entry of this amendment, claims 27-33, 36, 54-56, 72-79, 88-90, 92, 93, 96-101 and 105-115 are pending in this application. Claim 95 is cancelled and Claim 115 (reciting recitations of claim (95) has been added). New claim 115 depends from claim 96. No other claim amendments are made herein. No new matter is added.

Applicants acknowledge claim 36 is considered by the Examiner to be allowable.

# Response To Rejections Under 35 U.S.C. § 112

Response To The Rejection Of Claims 95

Claim 95 stands rejected under 35 U.S.C. § 112 as depending from a canceled claim.

Accordingly, claim 95 has been canceled rendering this rejection moot and claim 115 has been added.

# Response To Nonstatutory Obviousness-Type Double Patenting Rejection

Claims 27-33, 54-56, 72-79, 88-90, 92, 93, 96-101 and 105-114 stand rejected on the grounds of nonstatutory obviousness-type double patenting over the corresponding claims of U.S. Patent No. 5,959,050.

Applicants herewith file an appropriate Terminal Disclaimer.

In view of the above, Applicants respectfully request the withdrawal of all claim rejections made on the grounds of nonstatutory obviousness-type double patenting.

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### **CONCLUSION**

Applicants respectfully request that all rejections be withdrawn. Applicants respectfully assert that the above-identified application is in condition for allowance and request such action at this time.

### **AUTHORIZATIONS**

The Commissioner is hereby authorized to charge any additional fees which may be required for timely consideration of this amendment, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 2324-7028US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

By:

Respectfully submitted,

MORGAN & ENNEGAN

Dated: <u>July 28, 2006</u>

Mailing Address:

MORGAN & FINNEGAN 3 World Financial New York, New York 10281-2101 (212) 415-8700 Telephone (212) 415-8701 Facsimile Eric G. Wright

Registration No. 48,045 (202) 857-7887 Telephone (202) 857-7929 Facsimile